

EXHIBIT 12

OPR REPORT #PR-3106-14-0050-D



OFFICE
OF
PROFESSIONAL RESPONSIBILITY

OPR File #PR-3106-14-0050-D

Investigated by: Investigator L. E. Bowers *LEB*

Reviewed by: Chief K. D. Phelps *KDP*

Date: September 23, 2014



South Carolina Department of Public Safety
Office of Professional Responsibility

INVESTIGATIVE REPORT

Case Number: PR-3106-14-0050-D

SUBJECT: Corporal C. A. Dollard
State Transport Police (STP), District 6

COMPLAINANT: Colonel Leroy Taylor
State Transport Police (STP)

INVESTIGATOR: Investigator L. E. Bowers
Office of Professional Responsibility (OPR)

ALLEGATION(S): Corporal Dollard failed to notify her supervisor in a timely manner after discharging her duty weapon.

INVESTIGATIVE PREDICATE

On September 11, 2014, the OPR was notified by Colonel Taylor that Corporal C. A. Dollard with STP had discharged her weapon toward two dogs. The information received by Colonel Taylor indicated that Corporal Dollard discharged her service weapon toward the dogs at approximately 0700 hours on September 11, 2014. Sergeant Kyzer with STP was informed about Corporal Dollard's weapon discharge at 1300 hours and forwarded the information through his chain of command to Colonel Taylor. The case was assigned to Investigator Bowers for investigation on September 11, 2014.

INVESTIGATION

As part of this investigation, Investigator Bowers reviewed an incident report from the Berkeley County Sheriff's Office (Exhibit 1) and a memorandum from Sergeant B. M. Phillips (Exhibit 2).

The aforementioned documents revealed the following:

Review of Incident Report

SCDPS000116



South Carolina Department of Public Safety

Office of Professional Responsibility

According to the Berkeley County Sheriff's Office incident report, on September 11, 2014, at 1614 hours, Deputy Farst arrived at [REDACTED] in reference to a discharge of a firearm. The incident report conveys that Corporal Dollard was jogging near 1160 French Santee Road in Jamestown at approximately 0700 hours when she was threatened by two pit bulls running toward her. Corporal Dollard fired her duty weapon at the dogs. Deputy Farst and officers from the State Transport Police attempted to locate the dogs' owners but their attempt was unsuccessful (Exhibit 1).

Review of memorandum from Sergeant Phillips

On September 11, 2014, Sergeant Phillips traveled to Jamestown, SC and took possession of Corporal Dollard's Glock 37 GAP, serial number SCDPS128. In addition to taking possession of the weapon, Sergeant Phillips also secured a magazine containing 9 rounds of ammunition and 1 spent shell casing. Sergeant Phillips stated that the weapon appeared to be functioning properly.

INTERVIEW OF COMPLAINANT

Colonel Leroy Taylor, STP

N/A

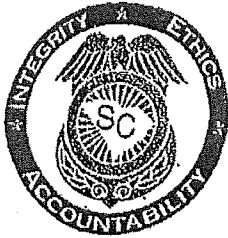
INTERVIEW OF WITNESS

Sergeant C. D. Kyzer, STP

On September 16, 2014, Investigator Bowers obtained a sworn statement from Sergeant C. D. Kyzer. The following is a synopsis of his statement which contains paraphrasing:

On September 11, 2014, at 1300 hours, Sergeant Kyzer was in his office at the Dorchester Weigh Station when Corporal Dollard came into his office and closed his doors. Corporal Dollard held up a spent shell casing from her issued .45 GAP caliber Glock and informed Sergeant Kyzer that she had discharged her firearm at two dogs at approximately 0705 hours that morning. Corporal Dollard advised Sergeant Kyzer that she was jogging in the proximity of her residence when she observed two pit bulls that were near a house running toward her in an aggressive manner. Corporal Dollard retreated to the opposite side of the roadway and retrieved her .45 GAP caliber service weapon which was in her backpack. When the dogs reached the fog line in the roadway, Corporal Dollard fired one round from her .45 GAP caliber service weapon at the dogs. Corporal Dollard was unsure if her round struck the dog but indicated that one of the dogs

SCDPS000117



South Carolina Department of Public Safety

Office of Professional Responsibility

leg flinched when she shot. One of the dogs ran toward the wood line and the other dog ran back toward the residence that it came from according to Corporal Dollard. Sergeant Kyzer contacted Lieutenant Walker and was later directed by Colonel Taylor to go to the scene where Corporal Dollard fired her weapon and have Berkeley County Sheriff's Office complete an incident report. While at the incident scene, Sergeant Kyzer went to the residence, 1160 French Santee Road, where Corporal Dollard stated the dogs came from. Sergeant Kyzer stated there was a large Doberman inside of a fence that surrounded the front porch to the residence. Sergeant Kyzer stated he utilized his siren and air horn in an attempt to get the residents to come outside, but no one ever responded. While Sergeant Kyzer was at the incident site, Sergeant Phillips from DPS supply retrieved Corporal Dollard's .45 GAP caliber service weapon and replaced it with another .45 GAP caliber service weapon. Later that evening, Sergeant Kyzer went back to the residence where the dogs came from and he was able to speak with the homeowner, Richard Hair. According to Mr. Hair, he did not own any pit bulls but he had observed a dog similar to a pit bull in weeks prior.

Sergeant Kyzer stated on the morning that Corporal Dollard discharged her weapon at the dogs; he placed a call to Corporal Dollard at approximately 0830 hours to advise her to unlock his office door on her way to court because Sergeant Kyzer had locked his keys inside of his office. Sergeant Kyzer stated that Corporal Dollard never told him that she had discharged her duty weapon that morning.

Richard Hair

On September 17, 2014, Investigator Bowers obtained a statement from Richard Hair. The following is a synopsis of the conversation:

Mr. Hair does not own any pit bulls but does own a Doberman Pincher. Mr. Hair stated that he had observed a dog similar to a pit bull from a distance on several occasions, but he had not seen the dog recently. He stated the dog that he observed that was similar to a pit bull was white in color with dark markings.

INTERVIEW OF SUBJECT

Corporal C. A. Dollard, STP

On September 11, 2014, Investigator Bowers obtained a sworn statement from Corporal Dollard. The following is a synopsis of the conversation which includes paraphrasing:

On September 11, 2014, at approximately 0700 hours, Corporal Dollard was jogging on French Santee Road in Jamestown, SC. Corporal Dollard resides on [REDACTED] and frequently [REDACTED]

SCDPS000118



South Carolina Department of Public Safety

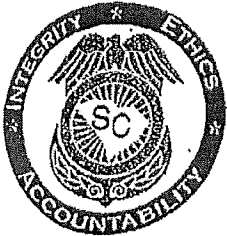
Office of Professional Responsibility

jogs on this particular roadway. Corporal Dollard stated when she jogs she carries a backpack containing her credentials and her issued Glock .45 GAP caliber firearm. Corporal Dollard stated as she was jogging past the residence of 1160 French Santee Road, she heard a dog bark and then observed two dogs that appeared to be pit bulls, dark in color with striping marks, running toward her. Corporal Dollard stated she shouted "get back," but the dogs continued running toward her. Corporal Dollard retrieved her weapon out of her backpack and fired one round when the dogs reached the fog line in the roadway. Corporal Dollard stated that when she shot toward one of the dogs, the dog's front leg flinched, but she was unsure if the round she fired actually struck the dog. According to Corporal Dollard, the dogs ran away from her after she fired her weapon and Corporal Dollard returned back to her residence shortly thereafter.

While Corporal Dollard was at her residence, Sergeant Kyzer happened to call Corporal Dollard to advise her about unlocking a door at the weigh station on Interstate 26 in Dorchester County when she began her tour of duty. Corporal Dollard stated that during her conversation with Sergeant Kyzer, she was busy getting ready for work and forgot to tell him about the shooting incident. Corporal Dollard stated she began her tour of duty around 0900 hours and began driving toward Orangeburg for court. While in route to Orangeburg, Corporal Dollard stated she planned on advising Sergeant Kyzer of the shooting incident when she stopped by the weigh station. However, Sergeant Kyzer was not at the weight station so Corporal Dollard stated she continued to court in Orangeburg without notifying Sergeant Kyzer of the incident. After Corporal Dollard completed court in Orangeburg, she stopped back by the weigh station at approximately 1300 hours and met with Sergeant Kyzer about shooting incident that occurred that morning. Corporal Dollard stated that the incident was not an accidental discharge and that she intentionally shot at the dogs while she was jogging that morning.

CONCLUSION

On September 11, 2014, at approximately 0700 hours, Corporal Dollard was jogging on French Santee Road in Jamestown, SC. As Corporal Dollard was jogging past the address of 1160 French Santee Road, she observed two pit bull dogs, dark in color with striping marks, at that residence. According to Corporal Dollard, the dogs ran toward the roadway where she was jogging and were displaying aggressive behavior. Corporal Dollard stated that she yelled at the dogs but they continued approaching her causing her to fear for her safety. Corporal Dollard stopped jogging and retrieved her .45 GAP caliber issued Glock from a backpack that she was carrying. When the dogs reached the white fog line in the roadway, Corporal Dollard fired one round from her duty weapon. It is unclear if Corporal Dollard struck either dog when she fired her weapon. However, Corporal Dollard stated she shot toward the dogs and they both retreated away from her. Corporal Dollard picked up her spent shell casing and continued her jog before returning to her residence.



South Carolina Department of Public Safety

Office of Professional Responsibility

At around 0830 hours, Sergeant Kyzer called Corporal Dollard on her state issued cellphone to advise her to unlock his office door at the Dorchester weigh station for him after she began her tour of duty because he had locked his keys inside of his office. During the phone conversation with Corporal Dollard, Sergeant Kyzer stated Corporal Dollard never made him aware that she had discharged her service weapon. During her interview, Corporal Dollard stated that she was busy getting ready for work that day when they talked on the phone and she forgot to advise Sergeant Kyzer of the firearm discharge. Corporal Dollard then began her tour of duty at 0900 hours and she stated she went to the Dorchester weight scales to unlock Sergeant Kyzer's door and she was going to inform him of the weapon discharge at that time; however, Sergeant Kyzer was not at the Dorchester weight scales so Corporal Dollard went to her scheduled court in Orangeburg. After completing court in Orangeburg, Corporal Dollard stopped back at the Dorchester weight scales at 1300 hours and Sergeant Kyzer was in his office. According to Sergeant Kyzer, Corporal Dollard came into his office and closed the doors and said she needed to talk to him. Corporal Dollard held up a spent shell casing and informed Sergeant Kyzer that she had discharged her issued Glock .45 GAP caliber service weapon at two dogs that were threatening her during her morning jog. After their meeting, Sergeant Kyzer immediately contacted Lieutenant Walker and through the chain of command, Colonel Taylor was notified of the incident. Colonel Taylor directed Sergeant Kyzer to go to the incident location where Corporal Dollard discharged her weapon and have the Berkeley County Sheriff's Office complete an incident report. At approximately 1615 hours, Sergeant Kyzer met with Deputy Farst of the Berkeley County Sheriff's Office and an incident report was completed. Sergeant Phillips, of SCDPS Supply, was also on scene and secured Corporal Dollard's service weapon. While at the scene, Sergeant Kyzer along with the deputy went to the residence of 1160 French Santee Road where Corporal Dollard indicated the two dogs had come from. At that residence, Sergeant Kyzer stated there was a fence around the front porch area with a Doberman Pincher inside the fence. Sergeant Kyzer used his siren and air horn in an attempt to make contact with the homeowner, but was unsuccessful.

Later that evening, Sergeant Kyzer and Sergeant Moore then went back to the residence at 1160 French Santee Road and were able to make contact with the homeowner, Richard Hair. According to Sergeant Kyzer, Mr. Hair advised that he did not own a pit bull but had observed a dog similar to a pit bull in the weeks prior.

Corporal Dollard was asked specifically if she had an accidental discharge of her firearm and she stated to Investigator Bowers that she intentionally fired one round at two pit bulls at approximately 0700 hours on September 11, 2014, because she felt threatened. Corporal Dollard admittedly did not immediately notify her supervisors of the discharge of her firearm as outlined by SCDPS policy 300.04. Although Corporal Dollard spoke with Sergeant Kyzer by cellphone at approximately 0830 hours, Corporal Dollard failed in her duty as a STP officer and a supervisor, to follow policy and notify her chain of command of this incident immediately. Conversely, she allowed six hours to elapse before she notified Sergeant Kyzer about the

SCDPS000120



South Carolina Department of Public Safety
Office of Professional Responsibility

incident. Corporal Dollard's delay in notifying her supervisor hindered the investigation of the Berkeley County Sheriff's Office and OPR to verify that uncontrolled dogs were roaming near the incident site. In addition, Corporal Dollard also failed to notify Berkeley County Animal Control of dangerous animals that were allegedly at large. Corporal Dollard provided no reasonable justification of why she did not immediately notify her chain of command after discharging her firearm.

CLASSIFICATION

ALLEGATION(S): Corporal Dollard failed to notify her supervisor in a timely manner after discharging her duty weapon - **SUSTAINED**

-59-

TABLE OF CONTENTS
OPR FILE #PR-3106-14-0050-D

Exhibit 1 Incident report from Berkeley Co. Sheriff's Office

Exhibit 2 Memorandum from Sergeant B. M. Phillips

SCDPS000122

-60-

BCSO COPY/SRP

AGENCY I.D.
SC0080000

INCIDENT REPORT

CASE NUMBER

201409043315

KOSC

NO. ENTD.
N N

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. INFORMATION (INF)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	Highway/Road/Alle		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Franchise Bus. <input type="checkbox"/> Government <input type="checkbox"/> Reg. Orgn. <input type="checkbox"/> Soc/Publs <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Fall Out
2.		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
3.		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE	WEAPON TYPE	
1160 FRENCH SANTEE ROAD, JAMESTOWN				29453	12S	
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME	LOCATION NO.
09/11/2014	07:00		09/11/2014	07:15	09/11/14 15:50	6/091
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
DOLLARD, CASSANDRA, ANN				<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	B	F
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
						06/91
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
DOLLARD, CASSANDRA, ANN				<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	B	F
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
						06/91
VISIBLE INJURY (Y/N) <input type="checkbox"/> YES <input type="checkbox"/> NO		EXPLAIN		COMPLAINANT OF ANY NON-VISIBLE INJURIES: <input type="checkbox"/> YES <input type="checkbox"/> NO		
VICTIM (NO. 1) INJURY: ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> TYPE:						
TWO-WAY VEH. <input type="checkbox"/> ONE-WAY VEH. <input type="checkbox"/> DETECTIVE/PLASHT. <input type="checkbox"/> OTHER <input type="checkbox"/> ALONE <input type="checkbox"/> ASSISTED <input type="checkbox"/> "J" - This Jurisdiction, "S" - State, "O" - Out of State, "U" - Unknown						
<input type="checkbox"/> SUSPECT NAME (LAST, FIRST, MIDDLE)		RACE		SEX	AGE	ETH.
<input type="checkbox"/> RUNAWAY						
<input type="checkbox"/> WANTED		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				
<input type="checkbox"/> WARRANT		ADDRESS				
<input type="checkbox"/> ARREST		CITY		STATE	ZIP CODE	LOCATION NO.
<input type="checkbox"/> JAIL						
<input type="checkbox"/> SUBJECT (NO. 1) USING ALCOHOL: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> ARRESTED NEAR OFFENSE SCENE: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DATE/TIME OF OFFENSE		DATE/TIME OF ARREST				
<input type="checkbox"/> SUBJECT (NO. 1) USING DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> TYPE:		TOTAL # ARRESTED				
<p>ON SEPTEMBER 11, 2014 I RESPONDED TO [REDACTED] IN REFERENCE TO</p> <p>DISCHARGE OF A FIREARM. UPON MY ARRIVAL I MET WITH THE VICTIM, CASSANDRA DOLLARD. DOLLARD IS A</p> <p>STATE TRANSPORT POLICE OFFICER. SHE WAS RUNNING ON FRENCH SANTEE ROAD AT APPROXIMATELY 0700</p> <p>HOURS THIS DATE. DOLLARD STATED AS SHE WAS PASSING 1160 FRENCH SANTEE ROAD TWO DARK COLORED</p> <p>DOGS WITH BROWN MARKINGS THAT LOOKED LIKE PIT BULLS CAME RUNNING FROM THE YARD INTO THE ROAD</p> <p>DIRECTLY TOWARDS HER. WHEN THE DOGS CROSSED THE YELLOW LINE IN THE ROAD SHE BECAME AFRAID FOR</p> <p>HER SAFETY. SHE DISCHARGED HER DUTY WEAPON (SERIAL #SCDPS128) TOWARDS THE CANINES. THIS OFFICER</p> <p>AS WELL AS OFFICERS FROM TRANSPORT POLICE ATTEMPTED TO MAKE CONTACT AT 1160 FRENCH SANTEE</p> <p>ROAD TO CHECK ON THE WELFARE OF THE CANINES BUT NO ONE WAS AT HOME. THE VICTIM WAS GIVEN AN</p> <p>INCIDENT NUMBER AND ADVISED ON HOW TO OBTAIN A COPY OF THE REPORT.</p>						
JURISDICTION OF THEFT				JURISDICTION OF RECOVERY		
LAW ENFORCEMENT AGENCY				LAW ENFORCEMENT AGENCY		
TYPE (GROUP)						TOTAL VALUE
STOLEN						
DAMAGED						
BURNED						
RECOVERED						
SERIES						
SUBJECT IDENTIFIED		SUBJECT LOCATED		ACTIVE		ADV. CLOSED
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH, 2. <input type="checkbox"/> NO PROSECUTION, 3. <input type="checkbox"/> EXTRADITION DENIED, 4. <input type="checkbox"/> VOTIM DECLINES COOPERATION, 5. <input type="checkbox"/> VOTIM - NO CUSTODY		DATE		UNIT NUMBER		APPROVING OFFICER
REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER
FARST, KIMBERLY		09/11/14		112		TILLMAN, STEPHEN
						09/11/14
						47

SCDPS000123

-61-



South Carolina Department of Public Safety

TO: Chief Kenneth D. Phelps
Office of Professional Responsibility

FROM: Sergeant B. M. Phillips *BMP*
Patrol Supply

DATE: September 11, 2014

SUBJECT: Corporal Dollard's Weapon Inspection

I examined the Glock 37 GAP, serial number SCDPS128, which I retrieved from State Transport Police Corporal Cassandra A. Dollard today in Jamestown, S.C. The weapon appears to be functioning properly and there is no damage to the weapon. Corporal Dollard gave me her weapon with (9) .45 GAP service rounds in the magazine and she also gave me (1) spent shell casing she stated can from the round she fired at the dog earlier in the day. The weapon will be test fired at the Criminal Justice Academy range at a later date.

Please contact me should you have any questions regarding this weapon.